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## PATENTS, TRADEMARKS AND LAW

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APR 21 2005  
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### URGENT

\*\*\*\*\*  
- Holiday Notice -  
Our firm will close on April 29,  
and from May 3 to May 5, 2005.  
The Patent Office will close on  
these days.  
\*\*\*\*\*

Re: Japanese Patent Application No. 8-159625  
in the name of Welch Allyn, Inc.

Dear Sirs:

This is to inform you that we have received a first non-final Office Action dated March 25, 2005 (mailed March 29, 2005), regarding the merits of the above-identified case.

DOCKETED  
4.21.05 SAM

The time limit for response is June 29, 2005. The time limit may be extended for three months, if necessary. No further extension is permitted. We will extend the time limit if we do not receive your instructions in good time.

As you can see from the enclosed translation of the Office Action, the Examiner has rejected the application under Article 29, paragraph 2, i.e., lack of inventive step over prior art.

In response to this Office Action, the applicant is allowed to file an amendment, an argument, or both. If the reasons for rejection specified in this Office Action are not overcome, the application will be conclusively rejected.

Further, even if the reasons for rejection specified in this Office Action are overcome by a response including an amendment, a final Office Action will be issued if:

(1) Other reasons for rejection arise as a result of the amendment; or

(2) New matter is introduced into the claims and the description by the amendment (Article 17-bis paragraph 3).

If the reasons for rejection specified in this Office Action are overcome, the present application will be granted or, if the Examiner finds new reasons for rejection which are not a result of the amendment, another non-final Office Action will be issued.

Though an amendment can be filed even after a final Office Action is issued, it should be noted that the allowable scope of amendment of the claims after a final Office Action is strictly limited.

As can be seen from the Notice of Reasons for Rejection, the Examiner has rejected current claims 1, 8, 16 and 17, based on references 1 and 2.

Regarding reference 1, please refer to the partial

translation (translation of claim 1) and the attached English Abstract thereof.

Also, please refer, regarding reference 2, to the attached English Abstract thereof.

Having reviewed the descriptions of the present specification, it is difficult for us to discern significant differences between the present invention defined in rejected independent claims 1 and 16, and reference 1.

In view of the above, we propose to cancel independent claims 1 and 16, as shown in the attached PROPOSED AMENDED CLAIMS.

Please note that, in the PROPOSED AMENDED CLAIMS, new claims 1 to 23 substantially correspond to current claims 1 + 2, 3, 4, 5, 6, 7, 8 (depending on new claim 1), 9, 10, 11, 12, 13, 14, 15, 16 + 18, 16 + 19, 17 (depending on new claims 15 and 16), 20, 21, 22, 23, 24 and 25, respectively.


Please inform us as to whether the PROPOSED AMENDED CLAIMS are acceptable to you.

If they are not acceptable, please provide us with your suggestions in addition to or in place of the PROPOSED AMENDED CLAIMS.


In this connection, please note that the claim amendment must be carried out within the scope of the descriptions of the original specification and drawings,

and it is necessary to clarify, in an argument, which portions of the original specification and drawings support the amended portions.

We enclose copies of the Office Action and an English translation thereof. We further enclose copies of the cited references, along with a partial translation and/or English Abstract thereof.

We would appreciate your instructions on the response to the Office Action well before the due date (by June 5, 2005). 

Very truly yours,

  
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Junichi Tsuruta  
Executive Vice President  
A. AOKI, ISHIDA & ASSOCIATES

EF/ay

Encls.: Action & Trans.  
JPP '922 & Trans. & English Abstract  
JPP '104 & English Abstract  
PROPOSED AMENDED CLAIMS  
Debit note

C.C. Mr. Atsushi Aoki